

REMARKS

Claims 1-10 are pending. Claims 1 and 4 have been amended to correct minor typographical errors. Reconsideration of the amended claims is respectfully requested.

Restriction

In response to the election requirement, applicant hereby elects the species hVEGF₁₂₁, for further prosecution, without traverse. Applicants note that after generic claim 1 is found allowable, the remaining specific of claim 2 will be examined.

Applicant's election is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to not more than two species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR § 1.141.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested. If it is determined that a telephone conference would expedite the prosecution of this application; the Examiner is invited to telephone the undersigned at the number given below.

CONCLUSION

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 219002030902. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted

By

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